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| CLERK US DISTRICT COURT<br>DISTRICT OF NEVADA    |                                    |
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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

JAY L. JIM,

Case No. 3:19-cv-00179-MMD-CBC

Plaintiff,

ORDER

v.

AITOR NARVIAZA, *et al.*,

Defendants.

**I. DISCUSSION**

Plaintiff, who is a detainee of the Elko County Jail, previously submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 and filed an application to proceed *in forma pauperis*. (ECF No. 1, 1-1).

On April 4, 2019, the Court issued an order denying Plaintiff's application to proceed *in forma pauperis* because it was incomplete and informing Plaintiff that he was required to file a complete application to proceed *in forma pauperis* within 30 days, including both an inmate account statement for the past six months and a properly executed financial certificate. (ECF No. 3).

On April 22, 2019, Plaintiff filed another application to proceed *in forma pauperis*. (ECF No. 4). This application also is incomplete as it does not include an inmate account statement for the past six months. Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach

1 both an inmate account statement for the past six months and a properly executed  
2 financial certificate.

3 Therefore, the *in forma pauperis* application is denied without prejudice. The Court  
4 will provide Plaintiff with one final opportunity to file a complete application to proceed *in*  
5 *forma pauperis*, including both an inmate account statement for the past six months and  
6 a properly executed financial certificate or, in the alternative, pay the full filing fee for this  
7 action. The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1), but will not file  
8 it until the matter of the payment of the filing fee is resolved.

9 **II. CONCLUSION**

10 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed  
11 *in forma pauperis* (ECF No. 4) is DENIED without prejudice to file a new application.

12 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the  
13 approved form application to proceed *in forma pauperis* by a prisoner, as well as the  
14 document entitled information and instructions for filing an *in forma pauperis* application.

15 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,  
16 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on  
17 the correct form including both an inmate account statement for the past six months and  
18 a properly executed financial certificate, in compliance with 28 U.S.C. § 1915(a); or (2)  
19 pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50  
20 administrative fee).

21 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,  
22 dismissal of this action may result.

23 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint  
24 (ECF No. 1-1), but shall not file it at this time.

25  
26 DATED: 5/13/2019

27   
28 UNITED STATES MAGISTRATE JUDGE